

APPLICANT(S): Yaakov NAVON  
SERIAL NO.: 10/082,035  
FILED: 02/20/2002  
Page 5

### REMARKS

Claims 1 – 11, 17, 19 – 20 and 22 – 31 are pending. Claims 17, 20 and 31 are amended. Claims 18 and 21 have been cancelled without prejudice. Claims 11 – 16 were previously cancelled. No new matter has been added. Reconsideration is requested

Claims 1 – 11 and 17 – 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Johnson et al. (US patent 6,453,073).

#### **Independent claims 1 and 20, and dependant claims therefrom**

Johnson teaches an image classifier to decompose the source image into distinct regions and specifies a correct compression method for each region [column 11, lines 32 – 36]. Johnson uses fuzzy logic for the means of classification. [column 24, lines 52 – 57]

Johnson teaches that "in classical set theory an object either belongs to a set or it does not; membership is 100% or 0%. In fuzzy set theory an object can be partly in one set and partly another set." By using Fuzzy logic Johnson's regions can have boundaries which are not sharp. [column 25, lines 18 – 28].

Johnson teaches away from the present invention recited in claim 1 and amended claim 20 of identifying kernels as being associating with a first layer, and pixels which are not associated with the first layer are classifying as a second layer. In Johnson images "partly in one set and partly another set" are in the same region. Thus Applicants respectfully submit that claims 1 and 20 are allowable over Johnson, and claims 2 – 11 and 22 – 30 dependent therefrom, are allowable over Johnson.

#### **Independent claims 17 and 31, and dependant claims therefrom**

Johnson teaches that an image may have a combination of different image types, so Johnson's image classifier provides a customized "most efficient" compression ratio, (emphasis by Johnson)[column 24, lines 62 – 72, column 25, lines 1 – 5].

Amended claims 17 recites identifying first and second image content, wherein said first and second content comprise image foreground and image background, respectively.

APPLICANT(S): Yaakov NAVON  
SERIAL NO.: 10/082,035  
FILED: 02/20/2002  
Page 6

Amended claim 31 recited separating an image into a first and second layer, wherein said first and second layer comprise image foreground and image background, respectively.

Johnson by his use of fuzzy logic, may have more than one type of image in his "layer" because Johnson is looking for efficiency. Johnson teaches away from two images, one comprising foreground and the other comprising background; Johnson's images may contain elements of both. Applicants respectfully submit that claims 17 and 31 are allowable over Johnson and claim 19, and dependent therefrom, are allowable over Johnson.

Applicants believe that the above amendments and remarks are fully responsive to all the objections and grounds of rejections by the Examiner. In view of the foregoing amendments and remarks, the Applicants respectfully submit that all the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

If the Examiner has any questions or comments as to this response, the undersigned may be contacted at the address and telephone number below.

Please charge any fees associated with this paper to deposit account No. 09-0468.

Respectfully submitted,



Stephen C. Kaufman  
Attorney for Applicant(s)  
Registration No. 29,551

Dated: October 17, 2005